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OFFICE OF PETITIONS

In re Application of :
Raman et al. :
Application No. 10/019,634 : DECISION ON PETITION
Filed: December 27, 2001 :
Attorney Docket No. 60556-303620 :

This is a decision on the petition under 37 CFR 1.137(b), filed January 10, 2005, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to reply timely to the final Office action mailed February 20, 2004, which set a three-month shortened statutory period to respond. Petitioner did not timely and properly obtain any extensions of time to respond under 37 CFR 1.136(a). Accordingly, this application became abandoned on May 21, 2004. A Notice of Abandonment was mailed on January 6, 2005.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply in the form of a request for continued examination with a submission, paid the petition fee, and made the proper statement of unintentional delay.

The Office finance records indicate that on September 13, 2004, petitioner paid extension of time fees totaling \$1,060.00. Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, petitioner may request a refund of the \$1,060.00 extension of time fee submitted on September 13, 2004, because it was submitted subsequent to the maximum period obtainable for reply. Petitioner may request a refund of the \$1,060.00 fee by writing to the following address:

Mail Stop 16
Director of the US Patent and Trademark Office
PO Box 1450
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A copy of this decision should accompany petitioner's request for a refund.

This matter is being referred to Technology Center Art Unit 1616.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
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